

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 191

SENATE BILL NO. 2258

By Kyle, Finney, Ford

Substituted for: House Bill No. 2247

By Harmon, Mike Turner

AN ACT to amend Tennessee Code Annotated, Section 4-3-609, relative to the authority and powers of department of correction internal affairs special agents and director.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-3-609(b), is amended by deleting the subdivision in its entirety and substituting instead the following:

(b)(1) Subject to the written directive of the commissioner, persons employed by the Department of Correction as an internal affairs special agent or as an internal affairs director who have successfully completed firearms qualification training shall have the authority to carry weapons for the purposes of their offices and while in the performance of their assigned duties, including, but not limited to, conducting authorized investigations and assisting federal, state and local law enforcement in matters relating to the duties and responsibilities of the department. The required firearms qualification training for internal affairs agents and directors shall include, at a minimum, forty (40) hours initial training and eight (8) hours annual in-service training in firearms qualification administered by an instructor with certification from the Tennessee Correction Academy's firearms instructor program or from a police firearms instructor training program conducted or sanctioned by the Federal Bureau of Investigation or the National Rifle Association. Successful completion of training shall include demonstration of proficiency of at least seventy percent (70%) both during day and darkness on all weapons issued or authorized by the Department of Correction, and proficiency of at least seventy percent (70%) on a stress-exertion course, both day and night, which has a laterally moving target.

(2) Persons employed by the Department of Correction as an internal affairs special agent or as an internal affairs director shall have the full power to administer oaths and take oral and written statements.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 23, 2009



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 7th day of May 2009



PHIL BREDESEN, GOVERNOR